

1759.16239-FOR

H1 H2  
PATENT



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In reapplication of: Ralph et al.

Group No.: 3732

Serial No.: 10/001,937

Examiner: Unknown

Filed: 25 October 2001

For: **SYSTEMS AND METHODS FOR REDUCING FRACTURED BONE USING A  
FRACTURE REDUCTION CANNULA**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**COPY OF PAPERS  
ORIGINALLY FILED**

**STATEMENT BY ATTORNEY THAT APPLICATION FILED IN PTO IS THE  
ONE INVENTOR(S) EXECUTED BY SIGNING DECLARATION**

I, Daniel D. Ryan, Registration No. 29,243, of RYAN KROMHOLZ & MANION, S.C., P.O. Box 26618, Milwaukee, Wisconsin 53226-0618, ((262) 783-1300) state I am an attorney for this application and the application identified above is the application which the inventor(s) executed by signing the declaration which is being submitted herewith.

**CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Date 7 March 2002

By Mary Szollar

Mary Szollar  
(Typed Name of Person Signing Paper)

COMBINED DECLARATION AND POWER OF ATTORNEY  
(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: (check one applicable item below)

original

design

supplemental

**NOTE:** If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check next item; check appropriate one of last three items.

national stage of PCT

**NOTE:** If one of the following 3 items apply then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.

divisional

continuation

continuation-in-part (CIP)

COPY OF PAPERS  
ORIGINALLY FILED

INVENTORSHIP IDENTIFICATION

**WARNING:** If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

Systems and Methods for Reducing Fractured Bone Using a Fracture Reduction Cannula

SPECIFICATION IDENTIFICATION

the specification of which: (complete (a), (b) or (c))

(a)  is attached hereto.

(b)  was filed on 25 October 2001 as  Serial No. 10/001,937  
or  Express Mail No., as Serial No. not yet known \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).

**NOTE:** Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

(c)  was described and claimed in PCT International Application No. \_\_\_\_\_  
filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

## ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56

*(also check the following item, if desired)*

In compliance with this duty there is attached an information disclosure statement in accordance with 37 CFR 1.98.

### PRIORITY CLAIM (35 U.S.C. § 119)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

*(complete (d) or (e))*

(d)  no such applications have been filed.  
(e)  such applications have been filed as follows.

**NOTE:** *Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.*

**A. PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN  
12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS  
APPLICATION AND ANY PRIORITY CLAIMS UNDER  
35 U.S.C. S 119**

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUM- BER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> YES      NO <input type="checkbox"/>
			<input type="checkbox"/> YES      NO <input type="checkbox"/>
			<input type="checkbox"/> YES      NO <input type="checkbox"/>
			<input type="checkbox"/> YES      NO <input type="checkbox"/>
			<input type="checkbox"/> YES      NO <input type="checkbox"/>

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

---

---

NOTE: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CIP APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. S 120.

POWER OF ATTORNEY

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Daniel D. Ryan (29,243)  
John M. Manion (38,957)  
Daniel R. Johnson (46,204)  
Laura A. Dable (46,436)

Joseph A. Kromholz (34,204)  
Patricia Jones (46,318)  
Arnold J. Ericsen (16,879)  
Patricia A. Limbach (P-50,295)

(check the following item, if applicable)

[ ] Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

---

SEND CORRESPONDENCE TO

Daniel D. Ryan  
RYAN KROMHOLZ & MANION, S.C.  
Post Office Box 26618  
Milwaukee, Wisconsin 53226-0618

DIRECT TELEPHONE CALLS TO:

Daniel D. Ryan  
PHONE CALLS  
(262) 783 - 1300

---

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SIGNATURE(S)

NQTE: Carefully indicate the family (or last) name as it should appear on the filing receipt and all other documents.

Full name of sole or first inventor

Christopher R Ralph  
 (GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)  
 Inventor's signature Christopher Ralph  
 Date 02/28/02 Country of Citizenship US  
 Residence (City, State/Country) Mountain View, California  
 Post Office Address 375 Hope Street  
Mountain View, California 94041

Full name of second joint inventor, if any

Richard W Layne  
 (GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)  
 Inventor's signature Richard W. Layne  
 Date 2/27/02 Country of Citizenship US  
 Residence (City, State/Country) Sunnyvale, California  
 Post Office Address 250 West El Camino Real, #4312  
Sunnyvale, California 94087

Full name of third joint inventor, if any

Paul M Sand  
 (GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)  
 Inventor's signature Paul Sand  
 Date 26-Feb-02 Country of Citizenship US  
 Residence (City, State/Country) San Carlos, California  
 Post Office Address 205 Aberdeen Drive  
San Carlos, California 94070

Full name of fourth joint inventor, if any

Robert M Scribner  
 (GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)  
 Inventor's signature Robert M. Scribner  
 Date 3/20/02 Country of Citizenship US  
 Residence (City, State/Country) Niwot, Colorado  
 Post Office Address 7042 Quiet Retreat Road  
Niwot, Colorado 80503

Full name of fifth joint inventor, if any

Mark A Reiley  
 (GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)  
 Inventor's signature Mark A. Reiley  
 Date 2/25/02 Country of Citizenship US  
 Residence (City, State/Country) Piedmont, California  
 Post Office Address 304 Pala Avenue  
Piedmont, California 94611

CHECK PROPER BOX(S) FOR ANY OF THE FOLLOWING ADDITIONAL PAGE(S) WHICH FORM A PART OF THIS DECLARATION

[ ] Signature for sixth and subsequent joint inventors. Number of pages added \_\_\_\_\_

\*\*\*

[ ] Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added \_\_\_\_\_

\*\*\*

[ ] Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_

\*\*\*

[X] Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application.

[x] Number of pages added 4

\*\*\*

[ ] Authorization of attorney(s) to accept and follow instructions from representative

\*\*\*

*(If no further pages form a part of this declaration then end this declaration with this page and check the following item:)*

[ ] This declaration ends with this page